

Minutes
Veneta City Council
June 9, 2008

Present: Mayor T. J. Brooker, Thomas Cotter, Darrell Carman, Sharon Hobart-Hardin and Marion Esty

Others: Ric Ingham, City Administrator; Jerri Moore, Finance Director; Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder; Tami Sakany, Fern Ridge Chamber of Commerce; and Rob Lafferty, West Lane News

Mayor Brooker called the Veneta City Council to order at 7:05 p.m.

1. PUBLIC COMMENT

Tami Sakany, Fern Ridge Chamber of Commerce, 24949 Territorial Rd., Veneta, OR
Tami Sakany told the Council that the Fern Ridge Chamber of Commerce and local businesses have teamed to create two promotional programs for local businesses. The first is called "Taste of Fern Ridge" which is a business stamp card. She said the Chamber will be distributing 2,000 yellow bags filled with coupons and brochures from local businesses. She said 500 bags will be held back to be given to new residents. She said this is a business awareness/welcome promotional program to encourage people to use local businesses. She said bags can be picked up at the Fern Ridge Chamber.

Tami Sakany also distributed a letter of request on behalf of the Chamber. She said the relationship between the City and the Chamber can be profitable for the entire community and she would like to see the City and the Fern Ridge Chamber blend their efforts toward a common goal. She said the Chamber is requesting a \$1000 donation from the City Council for the cost of installing a large screen TV monitor at the Fern Ridge Chamber offices. The monitor will run seven days a week, 12 hours a day. Commissioner Fleenor, Natalie Inouye of KVALCO and Terry Connolly sent letters of support. She also asked for government involvement from Senator Wyden.

2. PUBLIC HEARING ON THE APPROVED 2008/09 BUDGET

a. Public Hearing in regard to the approved Fiscal Year 2008-2009 Operating Budget for the City

- (1) Mayor Brooker opened the Public Hearing at 7:14 p.m.
- (2) Declaration of potential conflict of interest or ex-parte contacts:
None
- (3) Staff Report (Jerri Moore)
Jerri said the budget process for the upcoming year is near completion with the required public hearing on the approved 2008-2009 budget scheduled for June 9, 2008. She said the City complied with Oregon Budget Law in the preparation and subsequent adoption of the 2008-2009 fiscal year Budget. She said Budget Committee meeting notices were published in the West Lane News on April 17 and 24th, 2008, announcing the intention of the City of Veneta to hold meetings to discuss the budget for the upcoming fiscal year beginning July 1, 2008 and to receive public comment.

Two Budget Committee meetings were held on May 1 and 15, 2008 at the Veneta Administrative Center. The FY 2008-2009

Budget Proposal was presented by staff and reviewed by City Council and lay members of the Budget Committee. The FY 2008-2009 Budget was approved at the May 15, 2008 meeting.

The Notice of Budget Hearing including the financial summary, estimated ad valorem property taxes to be received and anticipated resources and expenditures by fund as approved by the Budget Committee was published in the West Lane News on Thursday, May 29, 2008.

Oregon Budget Law states that a governing body may make changes to the approved budget as long as those changes to planned expenditures do not exceed 10% of a particular fund's total expenditures. Staff is recommending the City Council amend the Budget approved by the Budget Committee to increase the General Fund appropriation for Personal Services from \$172,485 to \$198,698. The increase of \$26,213 would be applied to costs for a Program Specialist, allowing the City maximum flexibility to fill this position. This increase is within the 10% limitation.

Staff is recommending the City Council approve Resolution 972 adopting the FY 2008-2009 operating budget as amended.

In response to a question from Thomas Cotter, Jerri said the correct appropriation title is "Personal Services", not "Personnel" and includes wages, salaries and fringe benefits. She said the classification title is assigned by the Oregon Department of Revenue.

- (4) Proponents for any items in the budget document: None
- (5) Opponents of any items in the budget document: None
- (6) Questions from the Council: None
- (7) Mayor Brooker closed the Public Hearing at 7:17 p.m.

- b. **Resolution 972** - A RESOLUTION ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2008-2009; IMPOSING TAXES; SPECIFYING APPROPRIATIONS; AND CATEGORIZING TAXES IMPOSED.

MOTION: Sharon Hobart-Hardin made a motion to adopt Resolution 972. Thomas Cotter seconded the motion which passed with a vote of 5-0.

3. **CONSENT AGENDA**

The consent agenda as approved included minutes for May 27, 2008, Bills Payable for May 2008, the Public Works Activity Report for May, and the Liquor License Renewal for Gas N Go.

MOTION: Sharon Hobart-Hardin made a motion to approve the Consent Agenda except for the May 27, 2008 minutes. Thomas Cotter seconded the motion.

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Brooker, aye;

Darrell Carman, aye; and Sharon Hobart-Hardin, aye.

Ric said staff needed clarification on a Motion the Council made at the May 27, 2008 City Council meeting. He asked the Council to clarify if the motion to approve the \$1,000 donation to the Community Action Network (CAN) was a \$1,000 match donation or a straight \$1,000 donation.

Marion Esty recalled the Council clearly wanted to donate \$1000 and doesn't recall saying it was a matched donation. She wanted to donate \$1,000 without requiring CAN to match the donation.

All Councilors agreed.

MOTION: Sharon Hobart-Hardin made a motion to approve the May 27, 2008 minutes to state "... a \$1,000 donation to CAN ...". Thomas Cotter seconded the motion, which passed with a vote of 5-0.

4. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

1. Request from Jenny Ramsey for funding of the Summer Art's Program (Explorer's Club) Jenny provided a color flyer and thanked the City Council for the annual donation of \$1,000 they have made to cover the cost of several yearly scholarships. She said the City Council has been making a \$1,000 donation since 1997. She said last summer the Summer Art's Program served 78 youth from the Fern Ridge area. She said this number was down from the previous year, however, she expects to serve approximately 100 youth this year. She said July 7, 2008 is the kick off date for the Explorer's Program. Jenny said 60% of youth participating in the Explorer's Club are from Veneta and 40% are from outlying areas. She said the City's \$1,000 previous donation covers 50% of the participants. She said this year they would like to make the scholarship funds available for City and non City youth. She requested the City continue with their \$1,000 donation to cover this year's cost of providing scholarships to area youth. She said this year's Explorer's Club would focus on the community garden. She said the children will make wooden planters, lettuce baskets and sun flower starts to sell at the Farmers' Market.

In response to a question from Mayor Brooker, Ric said there is approximately \$2900 available in the discretionary fund.

Sharon Hobart-Hardin said the Explorer's Club has been very successful over the years and encouraged supporting it especially since Veneta is still without a swimming pool.

MOTION: Sharon Hobart-Hardin made a motion to approve a \$1,000 donation to the Summer Art's Program. Thomas Cotter seconded the motion which passed with a vote of 5-0.

2. Request from Chamber of Commerce (made at the public comment session) Ric said the Chamber's request should have the same consideration as the Explorer's Club request.

Mayor Brooker would like to review the Chamber's request and have staff bring the matter back to the next Council meeting. He would like more understanding of whether we should enter into an intergovernmental agreement and have it

reviewed by legal counsel.

Ric said the Rural Tourism & Marketing Program (RTMP) is approved each November by the City Council. He said remaining funds that haven't been spent can be brought back. He said ongoing funding should be considered as part of the RTMP. He said this November the Council could incorporate into the RTMP the Chamber's request for ongoing funding.

3. Ethics Quarterly Report Update

Sheryl responded to a Council request from the May 27, 2008 meeting. She said the State Ethics Department will not send the quarter Ethics forms to the Council members. She said the Councilors may download the forms from the state's website or staff can provide them to the Councilors. Sheryl said the next report (for the second quarter) is due before July 15, 2008.

In response to a request from Sharon Hobart-Hardin, Sheryl said she would place the quarterly forms in the Councilor's information boxes at City Hall.

b. COUNCIL/COMMITTEE LIAISONS

Thomas Cotter said the pool committee has made arrangements for a poker tournament on June 28th at the Elks Club in Eugene. He said they are also planning a golf tournament for October. He said these fundraisers are to raise money to get the new pool construction on the November 2008 ballot.

Darrell Carman said the Community Facilities Assessment (CFA) meeting was held last week. He said the CFA would like to develop a community forum to discuss the needs and amenities the City can offer, what the citizens of our community would like to see and what is available. He said they are working on setting a date in July for the forum. He said the panel participated in the public survey Stephania created. He said she is doing a good job.

Marion Esty complimented Mayor Brooker on the comments he made in the Register Guard and West Lane News articles. Mayor Brooker said they called him the night before he left for Arizona asking if he wanted to comment. He said the most important thing we should be doing is planning for the future. He said because petroleum has become too expensive to manufacture, we need to find alternatives. He said unfortunately, there was a "Moving Forward" conference this Wednesday, June 11, 2008 from 8:00 a.m. to 4 p.m. He said he was asked to sit on the final panel with Sid Liken and Kitty Piercy but unfortunately he cannot commit the time. He thanked Marion for bringing it up.

Sharon Hobart-Hardin said at the last Parks Board meeting the idea of starting a Garden Club was discussed as a way to generate volunteers and assist the parks' maintenance program. She said this will be a main focus and hopefully be implemented soon. She would like to see a Garden Club get off the ground and keep it going. She said the Parks Board is doing amazing things.

Mayor Brooker is planning to attend the Water Community meeting at EWEB tomorrow, Tuesday, June 10, at 6:00 p.m. He said a portion of the state grant we applied for was awarded.

5. STAFF REPORTS

- a. FINANCE DIRECTORJERRI MOORE
(1) **Resolution 973 - A RESOLUTION CERTIFYING THAT THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES**

Jerri presented five standard resolutions relating to the adoption and implementation of the 2008-2009 Budget. She said Resolution 973 certifies the type of municipal services the City provides and is an item requested by the State Department of Administrative Services.

MOTION: Sharon Hobart-Hardin made a motion to approve Resolution 973. Thomas Cotter seconded the motion which passed with a vote of 5-0.

(2) **Resolution 974 - A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES**

Jerri said Resolution 974 declares the City's election and desire to receive state shared revenues and certifies a public hearing was held before the Budget Committee and the City Council and that the City Council provided an opportunity for public comment.

MOTION: Thomas Cotter made a motion to approve Resolution 974. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

(3) **Resolution 975 - A RESOLUTION ESTABLISHING WATER FEES AND RATES FOR USERS OF THE VENETA MUNICIPAL WATER SYSTEM, AND REPEALING RESOLUTION 946 - POSTPONED**

Jerri said Resolution 975 establishes a new water rate and repeals Resolution 946. She said the Budget Committee approved a 3% increase to the tier 1 rate and a 10% increase in the tier 2 rate. She said legal counsel provided an amendment to Resolution 975, which shall read "**SECTION 8. EFFECTIVE DATE AND REPEALING CLAUSE.** This resolution shall take effect with the utility bills for the period beginning July 1, 2008. Resolution 946 is hereby repealed as of that date."

Sheryl Hackett told the Council the City Attorney said prior to taking action on Resolution 975 the Council must allow the public an opportunity to comment. Ric Ingham recommended postponing action until the June 23, 2008 meeting because public comment was not listed on the agenda.

Mayor Brooker agreed that Resolution 975 should be postponed and that the public should be made aware that public comments will be taken prior to the Council taking any action. **The Council reached consensus to postpone Resolution 975 until the June 23, 2008 City Council meeting.**

(4) **Resolution 976 - A RESOLUTION ADOPTING THE CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF VENETA FOR THE 2008-2009 FISCAL YEAR.**

Jerri said Resolution 976 is a standard resolution adopting the salary schedules. She said both the compensation plan for regular staff and the temporary staff schedule received a 3.7% Cost of Living Adjustment (COLA).

MOTION: Sharon Hobart-Hardin made a motion to approve Resolution 976. Thomas Cotter seconded the motion.

In response to a question from Mayor Brooker, Jerri said the COLA salary increases are reflected in Attachments "A" and "B" for Resolution 976.

MOTION: Vote, 5-0.

- (5) **Resolution 977 - A RESOLUTION EXTENDING CITY OF VENETA'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF VENETA FOR THE COVERAGE YEAR 2008-2009**

Jerri said Resolution 977 allows Workers' Compensation coverage to be extended to volunteers working on projects for the City of Veneta.

MOTION: Thomas Cotter made a motion to approve Resolution 977. Darrell Carman seconded the motion which passed with a vote of 5-0.

Sharon Hobart-Hardin said she would like to see more effort put in to tracking volunteer hours. She said she is aware of the effort being made to keep track of volunteers; however, many people donate hundreds of hours annually and don't get the recognition for it. She used the Earth Day and Easter Egg Hunt as examples. She said even though event coordinators are provided with rosters for volunteers to sign, they need to make sure volunteers sign in.

Mayor Brooker suggested adding the subject to future discussions to make sure we're improving our efforts to collect the data better than we have in the past.

- (6) **Resolution 978 - A RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM THE CAPITAL CONSTRUCTION FUND TO THE 2007 INVERSE CONDEMNATION FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2008 AND CREATING AN APPROPRIATION**

Jerri said Resolution 978 will allow the City to have an appropriation to settle the Larson litigation.

MOTION: Thomas Cotter made a motion to approve Resolution 978. Sharon Hobart-Hardin seconded the motion.

In response to a question from Mayor Brooker, Jerri said Resolution 978 will only apply to settlement costs for the Larson litigation.

MOTION: Vote, 5-0.

b. CITY ADMINISTRATOR..... RIC INGHAM

- (1) **Telecommunication Business Fee -FAQ**
Ric said as mentioned in his budget address a major concern is the \$100,000 increase to the City's public safety contract. He said \$80,000 is a direct cost the City will need to cover. He said staff felt it was appropriate to look for funding to cover this need.

Ric said the cities of Oakridge and Creswell have contracted with LCOG to serve as the fee administrator for their Telecommunication Business License Fee. He said cell phone providers (entities) apply for a business license to do business in the City. He said the Business License Fee generates approximately \$8,000 per quarter for Creswell and Oakridge each (after administrative costs). He said the telecommunications tax has the potential to raise about \$40,000 that the City could apply towards the public safety shortfall. He said the initial request is to direct the funds to the law enforcement fund. He suggested Milo Meecham

speak at the June 23, 2008 City Council meeting to answer more questions and explain the program. Ric said the telecommunications tax can be put in place by July 1, 2008.

Mayor Brooker said this is an important step and the City should follow up to gain more knowledge on this issue. He said several communities have looked into this tax and he wants to make sure the Council has all the knowledge possible.

Thomas Cotter suggested including a sunset clause in the ordinance so that, for instance, the public safety issue is resolved, there is a limit to how long the fee is to be collected for a specific fund. He suggested the fund be named or the fees collected go directly in to the general fund.

In response to a question from Thomas Cotter, Ric referred to Milo Meecham's memo. He said the last paragraph of page one states "LCOG would take a percentage of the fees paid for the cost of Administration. There are two fees involved, the license fee and the revenue percentage fee. The contract specifies that LCOG can use 75% of the registration fee (the \$50 business licensing fee) and 10% of the revenue percentage fee. Ric said they (LCOG) would be doing all the staff work and they would track on a regular basis what entities are doing business in the community. He said this information is not readily available to City staff. He said because LCOG is already providing this service for Creswell and Oakridge, they're tracking those telecommunication providers in other parts of the County.

After lengthy discussions about the Telecommunications Business License Fee, the Council agreed they need more information before they can make a decision. They agreed Milo Meecham of LCOG should attend the June 23, 2008 City Council meeting to provide more information. In order to make the License Fee effective July 1, 2008 and be enacted by emergency, public notice of the ordinance needs to be posted prior to the meeting. The Council also directed staff to take the necessary steps to have the ordinance ready for enactment at the June 23, 2008 meeting.

In response to questions from Darrell Carman, Ric said the ordinance should be enacted by emergency so it can be effective July 1, 2008 and included in the 2008-2009 already approved Budget. He said when it comes to revenue sources we don't need a line item. A modification to the budget wouldn't be required. He said we wouldn't be required to allocate the funds because the cash carry over would be new dollars. He said we wouldn't see the cash carry over diminish so quickly or need to use real property tax revenue to pay for the public safety contract shortfall.

St. Catherine property swap

Ric said the Council approved the land swap for City owned property and the St. Catherine property. He said this transaction should close by July 1, 2008 with the first payment being made shortly thereafter. Staff requested authorization for Ric to sign the closing documents.

MOTION: Sharon Hobart-Hardin made a motion to approve Ric Ingham sign the closing documents (except the deed) for the St. Catherine property swap. Darrell Carman seconded the motion which passed with a vote of 5-0.

MOTION: Sharon Hobart-Hardin made a motion to approve Mayor Brooker sign the deed for the St. Catherine property swap. Thomas Cotter seconded the motion which passed with a vote of 5-0.

Mayor Brooker temporarily adjourned the City Council and opened the Urban Renewal Agency meeting at 8:06. Mayor Brooker adjourned the Veneta Urban Renewal Agency at 8:10 p.m. and opened the Executive Session of the Veneta City Council at 8:11 p.m.

6. EXECUTIVE SESSION

ORS 192.660(2) (h) - Current Litigation

After making no decisions, Mayor Brooker closed the Executive Session of the Veneta City Council at 8:14 p.m. and returned to the regular City Council meeting at 8:14 p.m.

7. OTHER

MOTION: Thomas Cotter made a motion to approve Ric Ingham sign the Larson settlement agreement. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

The City Council requested clarification from legal counsel if tonight's meeting was considered duly noticed so that Ric Ingham could sign the Larson settlement agreement or if the City Council is required to hold a special meeting to approve Ric Ingham sign the settlement agreement. Ric placed a telephone call to John Wolf, who confirmed tonight's meeting was duly noticed and therefore Ric Ingham could be authorized to sign the settlement agreement at tonight's meeting.

Mayor Brooker said after clarification from John Wolf, Ric Ingham is authorized to sign the settlement agreement.

Jerri said the fiscal year will end June 30, 2008. She thanked the City Council for approving the resolutions. She said a Public Comment session will be held at the June 23, 2008 City Council meeting in order to adopt Resolution 975.

Ric said the Veneta Farmers' Market opened Friday, June 6, 2008. He said it went well and should continue to do well as the season progresses. He said the hours for the Market have been changed slightly. He said after hearing some public comments that 6:00 p.m. is too early for the Market to close, it was decided to keep the Market open until 7:00 p.m. He said unfortunately, all the advertising indicates the Market will close at 6:00 p.m. He said the lot provides better accessibility since it was leveled and graveled.

Rob Lafferty of the West Lane News commended the City Council and staff for conducting such organized meetings.

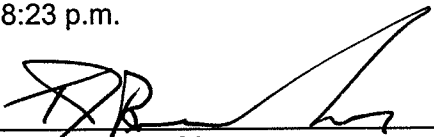
Ric said the material from Tami Sakany of the Fern Ridge Chamber of Commerce was suppose to submitted early enough to be included in the Council packets. He suggested the Chamber's request should have the same consideration as Ms. Ramsey's (the Explorer's Club) request.

Ric said the Fern Ridge Chamber of Commerce would like to meet with two Council members to talk about how the City and the Chamber could better collaborate and cooperate with economic development for the Fern Ridge area. He asked the Council if anyone was interested in stepping up. Mayor Brooker and Sharon Hobart-Hardin volunteered but suggested an Intergovernmental Agreement (IGA) should be drafted and signed to clarify the expectations of both parties. Thomas Cotter would be the alternate City representative. Mayor Brooker asked Ric to make the meeting arrangements.

Darrell Carman had two developments he wanted to share with the Council and City staff. He said he accepted a full time job and will no longer be self-employed. He was also ordained as a Bishop of his Ward. He is hopeful these two changes will not effect his commitment to the City.


8. **ADJOURN**

Mayor Brooker adjourned the City Council at 8:23 p.m.



T. J. Brooker, Mayor

ATTEST:



Darci Henneman, Assistant City Recorder
(minutes prepared by DHenneman)